

Heads of department not paid any salaries. No traveling out of the State by department heads or any employee of the department.

C. D. WATTS,
Acting Secretary.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,

Friday, February 4, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tempore Page.

The roll was called, a quorum being present, the following Senators answering to their names.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Hall.	Williams.
Harp.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Fairchild. Floyd.

Absent—Excused.

Dorough.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

See appendix for committee reports.

Bills and Resolutions.

By Senator Hertzberg:

S. B. No. 182, A bill to be entitled "An Act regulating the sanitation of hotels, lodging houses, restaurants, eating houses and lunch counters; prohibiting the employment of persons having contagious diseases in these places; specifying methods of cleaning and disinfection after exposure to contagious disease; making it lawful for the State Health Officer to order the destruction of bed-

ding, clothing or other articles in such places when he considers it necessary after these articles have been exposed to dangerous contagious diseases; specifying the screening of receptacles containing standing water; specifying the proper cleansing of all eating utensils in hotels, restaurants or lodging houses; prohibiting the use of common drinking cups unless cleansed after each use; prescribing the screening of dining rooms or other rooms where food is either prepared or to be eaten; regulating the sanitary condition and type of privies for hotels, lodging houses or restaurants; defining the terms hotels, lodging houses and restaurants within the meaning of this Act; vesting the authority to carry out and enforce the provisions of this Act in the State Health Officer through all health authorities, his assistants and the courts; affixing a penalty for violations, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Witt:

S. B. No. 183, A bill to be entitled "An Act to regulate the practice of Chiropody in the State of Texas, to provide for the establishment of a State Board of Chiropody Examiners, to define the duties and powers of said board, to provide for examining and registering of Chiropodists in this State, and to provide penalties for the violation of this Act."

Read first time and referred to Committee on Public Health.

By Senator Russell:

S. B. No. 184, A bill to be entitled "An Act creating the Desdemona Independent School District in Eastland County, Texas, defining its boundaries, such boundaries to be the same as Common School District No. 41 of Eastland County; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that the present board of trustees of said Common School District No. 41 shall continue in office until the first Saturday in April, 1921, or until their successors are elected and qualified; and providing that such trustees shall

have the power to appoint four other trustees; providing for an election to be held on the first Saturday of April, 1921, to elect the successors of said trustees; declaring the maintenance tax and bond tax heretofore authorized in said Common School District No. 41 to be valid and binding upon said independent school district; providing for an assessor and collector of taxes for said district; providing for the levying, assessing and collecting of taxes for the current year, and annually thereafter; providing that all bonds, obligations, contracts and indebtedness legally existing against Common School District No. 41, are imposed upon the Desdemona Independent School District; providing the title to all property within said district and all funds shall vest in the board of trustees of said Desdemona Independent School District and their successors in office; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hertzberg:

S. B. No. 185, A bill to be entitled "An Act prohibiting and making unlawful the use of the name of the United States Government or any Department thereof as part of the trade name of persons, associations or corporations engaged in the business of selling army goods to the public; providing for the punishment of violations of said Act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

Morning call concluded.

Senate Bill No. 59.

The Chair laid before the Senate, on third reading,

S. B. No. 59, A bill to be entitled "An Act to provide that all judgments for pecuniary fines in misdemeanor cases shall be suspended for a period of thirty days after the date of said judgment after which date only capias pro fine may issue thereon if not satisfied, and declaring an emergency."

(Senator Hall in the Chair.)

The bill was read third time, and passed finally, by the following vote:

Yeas—17.

Bailey.	Hertzberg.
Bledsoe.	Lewis.
Clark.	Murphy.
Cousins.	Parr.
Darwin.	Russell.
Davidson.	Watts.
Floyd.	Witt.
Hall.	Woods.
Harp.	

Nays—9.

Baugh.	Rogers.
Buchanan.	Suiter.
Carlock.	Williams.
Dudley.	Wood.
McMillin.	

Absent.

Fairchild.	Page.
McNealus.	Richards.

Absent—Excused.

Dorough.

Senate Bill No. 7—House Amendments Considered.

Senator Clark here called up S. B. No. 7 and moved that the Senate concur in the following House amendments:

Committee amendment to Senate Bill No. 7. Add Section 3 as follows:

Section 3. Any person who shall use automobile, truck, or other motor vehicle, owned by the State of Texas, for any purpose, except in the transaction of business for the State of Texas, shall be deemed to be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than five (\$5.00) dollars nor more than five hundred (\$500.00) dollars.

House amendment to Senate Bill No. 7. Amend caption to S. B. No. 7, by inserting after the word "designated," in line 26, the following:

"And providing a penalty for the use of any such vehicle for any purpose except in the transaction of business for the State of Texas."

Senator Bledsoe moved, as a substitute for the motion to concur, that the amendments be printed in the Journal and lay the motion on the table subject to call, after the amendments have been printed.

The substitute motion was adopted.

**.Senate Bill No. 65—House Amend-
ments Concurred In.**

Senator Carlock called up Senate Bill No. 65, and moved that the Senate concur in the following House amendments:

"Amend Senate Bill No. 65, Page 2, Section 2, line 4, by striking out all after the word 'shall' down to and including the word 'made' in line 6, and inserting the following: "order execution on said judgment, but said appeal or writ of error shall not be dismissed but continued upon the docket as if said cause had been appealed or writ of error granted upon a cost bond."

Amend Senate Bill No. 65, page 2, line 4, by inserting after the word "days," "after such order is served," and by striking out the words "after such order is made."

The motion to concur was adopted.

Senate Bill No. 23.

The Chair laid before the Senate on third reading,

S. B. No. 23, A bill to be entitled "An Act to prevent fraud in the sale and disposition of the stocks, bonds or other securities sold or offered for sale within the State of Texas, by any corporation, association, person, firm or partnership, company, broker or agent, by requiring investigation, examination and licensing the sale of such securities and of the companies, brokers and agents making such sales and placing the administration of this Act in the hands of a Commission hereby created, to be known as the "Texas Securities Commission" composed of the Attorney General, or one of his assistants, the State Treasurer and the Commissioner of Insurance and Banking, together with an executive officer to be appointed by the Commission; prescribing the powers, duties and compensation of the Commission; defining what shall constitute violations of this Act and fixing the penalties and punishment therefor; making appropriation for the support of the Commission; specifying that this law shall be known as the "Blue Sky Law of Texas"; repealing all laws in conflict herewith and especially the Acts of the First Called Session of the Thirty-third Legislature, Chapter 32, of the published laws of said session, and declaring an emergency."

Senator Carlock offered the following amendment:

Amend S. B. No. 23, page 17, of the printed bill, by striking out Section 18 and substitute the following:

Sec. 18. If any party to a proceeding before the Commission be dissatisfied with the final decision of the Commission upon any hearing affecting the granting of any permit or other official act of the Commission, such dissatisfied party may obtain a judicial review of such decision, by filing a petition setting forth the particular cause or causes of objection to such decision, in the District Court of Travis County, Texas, or in the District Court of the county of the residence of the complaining party against said Commission as defendant; said action shall be conducted in accordance with the rules of civil procedure and have precedence over all other causes on the docket, of a different nature. Such proceeding shall be brought within 90 days after the final decision of the said Commission, unless good cause is shown to the District Court in which said proceeding is brought, excusing further delay.

Upon the hearing of such suit, the burden of proof shall lie upon the complaining party and the Court shall receive and consider all pertinent evidence, whether oral or documentary, concerning the action of the Commission, with regard to the matter complained of, but shall be limited to a determination of the question whether there was an abuse of discretion on the part of the Commission, in making such final decision or order. The decision of the District Court in all such matters shall be final and not appealable.

CARLOCK.

The amendment was read and adopted by unanimous consent of the Senate.

The bill was then passed finally.

Senate Joint Resolution No. 4.

The Chair laid before the Senate on third reading,

S. J. R. No. 4, a joint resolution of the Legislature of the State of Texas amending Sections 5 and 21 and 22 and 23, of Article 4, of the Constitution of the State of Texas, relating to the compensation of the executive officers of this State.

The resolution was read third time and passed by the following vote:

Yeas—26.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Russell.
Dudley.	Suiter.
Floyd.	Watts.
Hall.	Williams.
Harp.	Wood.

Nays—1.

Woods

Absent.

Fairchild.	Witt.
McNealus.	

Absent—Excused.

Dorough.

Senate Bill No. 43.

The Chair laid before the Senate, on second reading,

S. B. No. 43, A bill to be entitled "An Act to amend Article 900, Title 10, of the Code of Criminal Procedure, of the State of Texas, of 1911, so as to make bail bonds good in all criminal cases until verdict or judgment and until the defendant is taken in custody by the Sheriff, as amended by Chapter 10 of the General Laws of the Thirty-fifth Legislature, 1907, and extending the same for a period of thirty days after the date of overruling of the motion for a new trial."

The bill was read second time and ordered engrossed.

Senate Bill No. 39.

The Chair laid before the Senate, on second reading,

S. B. No. 39, A bill to be entitled "An Act to amend Section 1, Chapter 140, of the Acts of 1917, being Article 3934 1/2 of Complete Texas Statutes, compiled by Vernon Law Book Company, and providing that said Act shall not apply to manufacturing establishments, industrial plants and grain elevators, where such establishments, plants, elevators and the buildings of said concerns are constructed

of fireproof material, and in which sleeping apartments above first floor are not provided, and in which persons under the age of sixteen years are not employed above the first floor, and declaring an emergency."

The committee report, with committee amendments, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 39 put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Wood.
Harp.	Woods.
Hertzberg.	

Absent.

Fairchild.	Witt.
McNealus.	

Absent—Excused.

Dorough.

The bill (S. B. No. 39) was read third time and passed by the following vote:

Yeas—25.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dudley.	Williams.
Floyd.	Witt.
Hall.	Wood.
Harp.	Woods.
Hertzberg.	

Absent.

Clark.	Richards.
Fairchild.	Russell.
McNealus.	

Absent—Excused.

Dorough.

Invitation.

The William B. Travis Chapter. Daughters of the Republic of Texas, at home to the members of the Senate and their wives, Tuesday, February 8, 1921, 4 to 6 p. m., at the Museum, at the old Land Office Building.

On motion of Senator Rogers, the Senate accepted the above invitation.

Senate Bill No. 26.

The Chair laid before the Senate on second reading S. B. No. 26, a bill for relief of taxpayers of the State.

Senator Dudley asked that since the Senate had gone on record against such bill that the further consideration of the bill be postponed indefinitely.

The motion was adopted.

(President Pro Tem Page in the Chair.)

Senate Bill No. 173.

Senator Dudley moved that the Senate rule requiring committee reports to lie over for one day be suspended for the purpose of considering S. B. No. 173.

The motion was adopted by unanimous consent.

The Chair laid before the Senate on second reading,

S. B. No. 173, A bill to be entitled "An Act to amend Section 1, Chapter 50, being H. B. No. 122, creating Miles Independent School District, repealing all laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 173 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent.

Dorough.

Absent—Excused.

Fairchild.

The bill was read third time and passed, by the following vote:

Yeas—29.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent.

Dorough.

Absent—Excused.

Fairchild.

House Bill No. 6.

The Chair laid before the Senate on third reading,

H. B. No. 6, A bill to be entitled "An Act to amend Article 4081 of the Revised Civil Statutes of the State of Texas, so as to provide for the appointment of a guardian of a person of unsound mind or an habitual drunkard, on a hearing before the court, without the necessity of a jury trial, which

will be granted if requested, as set out in Title 64, Chapter 16, Revised Civil Statutes of the State of Texas, providing for "Guardianship of persons of unsound mind and habitual drunkards," and validating all appointments heretofore made without a jury trial."

The bill was read third time and passed finally.

Senate Bill No. 5.

The Chair laid before the Senate on second reading,

S. B. No. 5, A bill to be entitled "An Act to repeal Chapter 6, Title 65 of the Revised Civil Statutes of Texas, 1911, the said chapter and title providing for the election of a Commissioner of Agriculture; prescribing his qualifications, duties, functions and services required by said chapter and title to be performed and rendered by the Commissioner of Agriculture, shall from and after the taking effect of this Act, be rendered and performed so far as may be practicable and necessary by the Agricultural and Mechanical College of Texas and that this Act take effect and be in force from and after January 1, 1922."

On motion of Senator Clark, the bill was laid on the table subject to call.

Senate Bill No. 97.

The Chair laid before the Senate on second reading S. B. No. 97.

Senator Rogers, author, stated that a House bill on same subject had been passed, and moved that the consideration of this bill be postponed indefinitely.

Senate Bill No. 72.

The Chair laid before the Senate on second reading,

S. B. No. 72, A bill to be entitled "An Act authorizing certain officers of the University of Texas to make certified copies of public records deposited in the Library of that institution and providing that said certified copies shall be lawful and have the same force and effect as if made by the county clerks of the counties from whence the same are transferred; and authorizing county com-

missioners and other custodians of public documents, in their discretion, to lend to the University of Texas those public records in their custody which are mainly of historical value, to enable that institution to make copies for historical study, and declaring an emergency."

The bill was read second time and ordered engrossed.

Senate Bill No. 27.

The Chair laid before the Senate on second reading,

S. B. No. 27, A bill to be entitled "An Act to amend Section 1 of Chapter 16, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a juvenile board within certain counties of this State and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said District Judges an additional salary, to be paid out of the general fund of such county, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 27 put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent.

Fairchild.	Richards.
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Absent—Excused.

Dorough.

The bill (S. B. No. 27) was read third time and passed finally, by the following vote:

Yeas—24.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Carlock.	Rogers.
Cousins.	Russell.
Darwin.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Harp.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Clark.	Hall.
Davidson.	McNealus.
Fairchild.	Richards.

Absent—Excused.

Dorough.

Senate Bill No. 54.

The Chair laid before the Senate, on second reading,

S. B. No. 54, A bill to be entitled "An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121 and Chapter 142, of the General Laws, and as amended by Chapter 55 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 32, General Laws of the Third Called Session of the Thirty-sixth Legislature, relating to the appointment and compensation of deputies and assistants of certain district and county officers and relating to the fees, compensation and expenses of office of certain county funds of special deputy district clerks to attend upon the sessions of District Courts in counties of one hundred thousand population or more and in which counties there are more than one District Court, including Criminal District Courts, upon the direction of the Judge of such court under the circumstances set forth in the Act, correcting certain inaccuracies in the wording of said

Article 3903, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hertzberg, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 54 put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent.

Fairchild. McNealus.

Absent—Excused.

Dorough.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Carlock.	Richards.
Clark.	Rogers.
Cousins.	Russell.
Darwin.	Suiter.
Davidson.	Watts.
Dudley.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent.

Fairchild. McNealus.

Absent—Excused.

Dorough.

Senate Bill No. 24.

The Chair laid before the Senate on second reading,

S. B. No. 24, A bill to be entitled "An Act to amend Article 1428, Title 17, Chapter 8, Penal Code of Texas, relating to obtaining board or lodging or anything of value under false pretenses, drawing or delivering any check, draft, or order to defraud; fixing penalty; providing that certain facts shall be prima facie evidence; making the law culminate, and declaring an emergency."

The bill was read second time and on motion of Senator Suiter was laid on the table subject to call.

Senator Richards asked unanimous consent to take up for consideration S. B. No. 103. Senator Suiter objected.

Senate Bill No. 31.

The Chair laid before the Senate on second reading,

S. B. No. 31, A bill to be entitled "An Act amending Articles 3107, 3108, 3140, Title 49, Revised Civil Statutes, 1911; providing that county executive committees shall be composed of one man and one woman from each voting or justice precinct in such county; providing for the election of a county chairman and vice chairman of the county executive committee, one of whom shall be a man and the other a woman; providing that State conventions shall, among other things, elect a chairman and a vice chairman of the State executive committee, one of whom shall be a man and the other a woman, and sixty-two (62) members thereof, one man and one woman from each senatorial district of the State, and declaring an emergency."

The bill was read and laid on the table subject to call.

Senate Bill No. 30.

The Chair laid before the Senate on second reading,

S. B. No. 30, A bill to be entitled "An Act to authorize the formation and incorporation of co-operative agricultural or horticultural associations instituted for the purpose of mutual help, not having capital stock or conducted for profit providing for the operation and regulation of such associations; fixing penalties for violation of certain provisions hereof, and declaring an emergency."

On motion of Senator Woods the bill was laid on the table subject to call.

Senate Bill No. 101.

The Chair laid before the Senate on second reading,

S. B. No. 101, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Section 1, Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature by increasing the annual license fee on commercial vehicles and interurban commercial vehicles, and amending Section 16a added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-sixth Legislature by increasing the license fee on commercial and interurban commercial vehicles based upon carrying capacity and per mile traveled, and declaring an emergency."

The bill was by unanimous consent laid on the table subject to call.

Senate Bill No. 48.

The Chair laid before the Senate on second reading,

S. B. No. 48, A bill to be entitled "An Act to fix a uniform date on which county and precinct officers shall qualify and take over the duties of their respective offices, following their election, and to repeal all laws in conflict therewith, and declaring an emergency."

On motion of Senator Floyd the bill was laid on the table subject to call.

Senate Bill No. 112.

The Chair laid before the Senate on second reading,

S. B. No. 112, A bill to be entitled "An Act to amend Article 1121 of the Revised Civil Statutes of the State of Texas (prescribing the purposes for which private corporations may be organized) by adding thereto Section 81, authorizing the organization of holding companies for the purpose of dealing in the capital stock, bonds, mortgages, debentures, notes, and

other securities and evidences of indebtedness of other corporations."

By unanimous consent the bill was laid on the table subject to call.

Senate Bill No. 66.

The Chair laid before the Senate on second reading,

S. B. No. 66, A bill to be entitled "An Act to amend Articles 4600 and 4601, Chapter 7, Title 66, of the Revised Civil Statutes of Texas, 1911, being Articles 784 and 785 of the Revised Criminal Statutes of Texas, 1911, relating to fees to be paid by applicants for licenses as embalmers and the annual fees to be paid by registered embalmers; to provide a penalty for the violation thereof or the failure to pay such fees and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 66 put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr
Clark.	Richards
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Harp.	Wood.
Hertzberg.	Woods

Absent.

Fairchild.	McNealus.
Hall.	Witt.

Absent—Excused.

Dorough.

The bill (S. B. No. 66) was read third time and passed by the following vote:

Yeas—25.

Bailey.	Buchanan.
Baugh.	Carlock.
Bledsoe.	Clark.

Cousins.	Page.
Darwin.	Parr
Davidson.	Rogers.
Dudley.	Russell.
Floyd.	Suiter.
Harp.	Watts.
Hertzberg.	Williams.
Lewis.	Wood.
McMillin.	Woods
Murphy.	

Absent.

Fairchild.	Richards
Hall.	Witt.

Absent—Excused.

Dorough.	McNealus.
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(Senator Murphy in the Chair.)

Senate Bill No. 31.

Senator Page called up from the table S. B. No. 31. (See former proceedings of today for caption.)

The bill, having been read second time, failed to pass to engrossment by the following vote:

Yeas—13.

Bledsoe.	Murphy.
Buchanan.	Page.
Darwin.	Suiter.
Davidson.	Watts.
Harp.	Wood.
Hertzberg.	Woods
Lewis.	

Nays—13.

Bailey.	McMillin.
Baugh.	Parr
Carlock.	Rogers.
Clark.	Russell.
Cousins.	Williams.
Dudley.	Witt.
Floyd.	

Absent.

Fairchild.	McNealus.
Hall.	Richards

Absent—Excused.

Dorough.

Senate Bill No. 123.

The Chair laid before the Senate on second reading,

S. B. No. 123, A bill to be entitled

"An Act to amend Article 206, Revised Civil Statutes of 1911, relating to the appointment of a Superintendent of the Confederate Home, his duties, term of office and salary, by providing that the son of a Confederate soldier is eligible for appointment, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McMillin the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 123 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	McMillin.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr
Carlock.	Richards
Clark.	Rogers.
Cousins.	Russell.
Darwin.	Suiter.
Davidson.	Watts.
Dudley.	William's.
Floyd.	Witt.
Harp.	Wood.
Hertzberg.	Woods
Lewis.	

Absent.

Fairchild.	McNealus.
Hall.	

Absent—Excused.

Dorough.

The bill (S. B. No. 123) was read third time and passed finally by the following vote:

Yeas—25.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Parr
Carlock.	Rogers.
Clark.	Russell.
Cousins.	Suiter.
Darwin.	Watts.
Davidson.	Williams.
Dudley.	Witt.
Floyd.	Wood.
Harp.	Woods
Hertzberg.	

Absent.

Fairchild.	Page.
Hall.	Richards
McNealus.	

Absent—Excused.

Dorough.

Senate Bill No. 118.

The Chair laid before the Senate on second reading,

S. B. No. 118, A bill to be entitled "An Act to amend Article 4113, Chapter 8, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for the return of an inventory and appraisements of ward's estate, and where such inventory and appraisal shows such estate to be of the value of \$1,000.00 or less, authorizing a guardian to control, manage or dispose of all or any part of the same without further application or order from the Probate Court, and declaring an emergency."

The bill was read second time and Senator Bailey offered the following amendment, which was read and adopted:

Amend the bill by inserting after the figures 1,000.00, in line 28, Page 1 of the printed bill, the words, "and after the County Judge shall have approved such inventory and appraisal by an order duly entered of record in the Probate Records of the county where such guardianship is pending."

The bill was read second time and passed to engrossment.

On motion of Senator Baugh the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 118 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Rogers.
Cousins.	Russell.
Darwin.	Suiter.
Davidson.	Watts.
Dudley.	Williams.
Floyd.	Wood.
Harp.	Woods

Absent.

Fairchild.	Parr
Hall.	Richards
McNealus.	Witt.

Absent—Excused.

Dorough.

The bill (S. B. No. 118) was read third time and passed finally.

(President Pro Tem Page in the Chair.)

Senate Bill No. 20.

The Chair laid before the Senate on second reading,

S. B. No. 20, A bill to be entitled "An Act creating a parole officer for the State of Texas and conferring upon him the authority of declaring who are meritorious convicts, making and establishing rules and requirements, carrying the same into effect and fixing the salary of said officer, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 14.

The Chair laid before the Senate on second reading,

S. B. No. 14, A bill to be entitled "An Act making it a felony for any ten or more persons to enter into an agreement by which it is sought to make less doubtful the result of any game of baseball or football, foot race or any other game or sport; prescribing penalties for violations thereof, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 69.

The Chair laid before the Senate on second reading,

S. B. No. 69, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study, by correspondence, that supply the needs of Texas people; to provide for appointment of an executive for same and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties and provide for the salaries of members of said faculty, and declaring an emergency."

On motion of Senator Dudley consid-

eration of this bill was postponed indefinitely.

Senate Bill No. 11.

The Chair laid before the Senate on second reading,

S. B. No. 11, A bill to be entitled "An Act relating to limited partnerships, joint stock companies, unincorporated joint stock associations or companies and common law corporations (so-called); providing that a certified copy of the articles of agreement and all amendments or supplements, as well as dissolutions thereof of all limited partnerships, joint stock companies, now unincorporated stock companies, associations or companies, now organized or that may hereafter be organized in this State, certified to by the president and secretary, with the seal of the said organization affixed, if there be a president and secretary, and said organization has a seal, and if not, then by the general partners thereof, that the same is a true and correct copy of such articles of agreement, amendment, supplement or dissolution, as the case may be, of such partnership, joint stock company or unincorporated joint stock association or company, as entered into and executed by them, to be filed in the office of the Secretary of State, to be by such officer kept for the inspection of all persons interested in such organization; that the Secretary of State cause an indexed record to be kept of such filing; providing the fees to be paid by such organization to the Secretary of State for the filing of such articles, amendments, supplements and dissolutions, and the keeping of such indexed records; providing penalties for the failure of any such limited partnerships, joint stock company or joint stock association or company to so file their said articles of agreement, as well as all amendments or supplements and dissolutions, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 104.

The Chair laid before the Senate on second reading,

S. B. No. 104, A bill to be entitled "An Act to prevent any person, firm,

corporation or association from placing before the public any advertisement relating to merchandise, securities, service or any other thing offered to the public, containing an assertion, representation or statement of fact which is untrue, deceptive or misleading; providing a penalty for the violation thereof, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Senate Bill No. 18.

The Chair laid before the Senate on second reading,

S. B. No. 18, A bill to be entitled "An Act providing that suicide of the insured shall be no defense to any suit brought upon the policies of insurance upon the life of the insured, issued by any life insurance company, fraternal or other organization, corporation, association of persons, firm or partnership unless it shall be shown to the satisfaction of the court or jury trying same, that the insured contemplated suicide at the time he made his application for a policy, and providing that any stipulation to the contrary in the policy or contract or by-laws of any such life insurance company, fraternal or other organization, corporation, association of persons, firm or partnership, shall be void, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Order by the Chair.

Order of the President Pro Tempore, naming a member to perform the duties of the Chair during the absence of the Lieutenant Governor and the President Pro Tempore:

"Hon. Lynch Davidson, Lieutenant Governor, being unavoidably absent from the Capitol and unable to preside over the Senate, and the President Pro Tempore of the Senate being obliged to absent himself from the Senate Chamber, I hereby name Senator John H. Bailey of DeWitt County to perform the duties of the Chair until the return of the Lieutenant Governor or the President Pro Tempore, or until such time as a majority of the Senators present vote to elect another member in the place of the member herein named and designated."

PAUL D. PAGE,
President Pro Tempore of the Senate.

Adjournment.

On motion of Senator Woods the Senate, at 12:15 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 173, A bill to be entitled "An Act to amend Section 1, Chapter 50, being H. B. No. 122, creating Miles Independent School District, repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 28, A bill to be entitled "An Act to amend Article 5436 of Chapter 9, Title 79, of the Revised Civil Statutes of 1911 of the State of Texas, relating to the sale of public free school and asylum lands so any vendee thereof either in whole tracts or such portions thereof as such purchaser or any vendee may desire; and to further provide that the vendee of such lands may be substituted as, and become the purchaser thereof, direct from the State, and that he shall, as to such land, become subject to all of the obligations and penalties imposed by law upon the original purchaser of such land, and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Committee Report,
Austin, Texas, Feb. 4, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 119, A bill to be entitled "An Act to provide for the survey and marking of the coast line of Texas within tide water limits and the employment of surveyors for that purpose; adopting the mean high tide water line as the property line between public and private property; prescribing the duty of surveyors, providing for suits against the State by land owners when they are unwilling to accept the line approved by the Commissioners of the General Land Office; providing for the compensation of surveyors and necessary help; providing penalty for one who may be found guilty of moving or destroying any mark or monument erected by a surveyor as a mark in the survey of the line herein provided for, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Committee Room,
Austin, Texas, Feb. 4, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 8, proposing an amendment to Section 50 of Article 3 of the Constitution of the State of Texas,

Have had same under consideration, and I am instructed by the committee to report said resolution back to the Senate with the recommendation that it do pass.

WOODS, Chairman.

Committee Room,
Austin, Texas, Feb. 4, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Constitutional Amendments to whom was referred

S. J. R. No. 5, proposing an amendment article and of the Constitution of the State of Texas, relating to the judicial department thereof, being a substitute for said article, and all of the sections and provisions thereof,

Have had same under consideration,

and I am instructed by the committee to report same back to the Senate with the recommendation that it do pass, with committee amendment.

WOODS, Chairman.

Committee amendment to S. J. R. No. 5:

Amend Section 4 of said resolution by inserting therein as the date upon which the election shall be held: "The first Tuesday after the first Monday in November, A. D. 1922."

TWENTIETH DAY.

Senate Chamber,
Austin, Texas,
Monday, Feb. 7, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by the Secretary of the Senate, W. V. Howerton.

The roll was called, a quorum being present, the following Senators answered to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Clark.	Parr
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Russell.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
Harp.	Woods
Hertzberg.	

Absent.

Carlock.	Suiter.
Page.	

Absent—Excused.

Dorough.

On account of the absence of the President of the Senate and the President Pro Tempore of the Senate, the Secretary called to the Chair Senator Bailey, who, under rule 5 of the Senate, had been designated by the President Pro Tempore, to preside during the absence of the two presiding officers and who was unanimously requested by the Senate